

REMARKS

In the aforesaid Office Action, claims 1, 10-12, 15 and 23 were rejected under 35 U.S.C. §102(b) as being anticipated by Miraki (U.S. Patent No. 5,951,513) and by Sirhan et al. (WO 93/20882), claims 2-8 were rejected under 35 U.S.C. §103(a) as being unpatentable over Sirhan et al. alone, claims 13-14 were rejected under 35 U.S.C. §103(a) as being unpatentable over Sirhan et al. in view of Muni et al. (U.S. Patent No. 5,533,968), and claim 16 was rejected under 35 U.S.C. §103(a) as being unpatentable over Sirhan et al. in view of Brown (U.S. Patent No. 6,096,056). Claims 1-8 and 10-23 are pending, and claims 17-22 are withdrawn from consideration.

The Examiner rejected claims 1, 10-12, 15 and 23 under 35 U.S.C. §102(b) as being anticipated by Miraki, stating that Miraki Fig. 3 shows a balloon catheter with an outer tubular member 20a and an inner tubular member 22a partially attached by two junctures 24a, and that a juncture is interpreted as something providing means to join two things.

However, Miraki does not disclose or suggest that the unsecured portions radially adjacent to the secured portions define sections of the inflation lumen in fluid communication with each other via a section of the inflation lumen which is defined by the outer tubular member and which is located proximal to at least one of the secured portions, or that the secured portions of the outer tubular member have a longitudinal dimension substantially shorter than the longitudinal dimension of the outer tubular member. In contrast, Miraki illustrates the webs/ frenulas 24a, forming connections

between the inner and outer tubular members 22a, 20a, extending the length of the outer tubular member 20a. As a result, the unsecured portions radially adjacent to the secured portions (defining lumens 26a in Fig. 3 of Miraki) are not in fluid communication with each other via a section of the inflation lumen which is defined by the outer tubular member and which is located proximal to at least one of the secured portions. Similarly, the connections formed by the webs/frenulas 24a do not have a longitudinal dimension substantially shorter than the longitudinal dimension of the outer tubular member.

The Examiner rejected claims 1, 10-12, 15 and 23 under 35 U.S.C. §102(b) as being anticipated by Sirhan et al., stating that Fig. 18 shows a balloon catheter with an outer tubular member and an inner tubular member with the tubular members having two secured portions formed by the inner surface of the outer tubular member being bonded to the outer surface of the inner tubular member.

However, Sirhan does not disclose or suggest that the two lumens 20, 80 of the embodiment of Fig. 18 are in fluid communication with each other via a section of the inflation lumen which is defined by the outer tubular member and which is located proximal to at least one of the secured portions, or that the secured portions have a longitudinal dimension substantially shorter than the longitudinal dimension of the outer tubular member. Instead, Sirhan et al. discloses at page 22 lines 4-11 that in this embodiment it is preferred to have the secured section extend along the entire length of the catheter, and that in this manner the extra lumens may be employed to deliver drugs or other therapeutic fluids or be used as an additional inflation lumen.

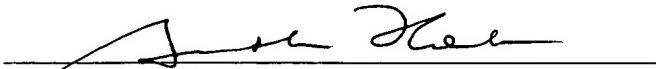
The Examiner rejected claims 2-8 under 35 U.S.C. §103(a) as being unpatentable over Sirhan et al. alone, claims 13-14 under 35 U.S.C. §103(a) as being unpatentable over Sirhan et al. in view of Muni et al., and claim 16 under 35 U.S.C. §103(a) as being unpatentable over Sirhan et al. in view of Brown. However, as set forth above, Sirhan et al. does not disclose or suggest that the two lumens 20, 80 of the embodiment of Fig. 18 are in fluid communication with each other via a section of the inflation lumen which is defined by the outer tubular member and which is located proximal to at least one of the secured portions, or that the secured portions have a longitudinal dimension substantially shorter than the longitudinal dimension of the outer tubular member.

Applicant wishes to bring to the attention of the Patent Office the reference listed on the attached PTO-1449, and request that it be considered by the Examiner. This Information Disclosure Statement is being submitted pursuant to 37 CFR 1.97(b)(4), and therefore no fee is due.

In light of the above amendments and remarks, Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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